



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,721	12/20/2001	Toshiharu Katagiri	2933KA-5	9785

22442 7590 01/29/2003

SHERIDAN ROSS PC  
1560 BROADWAY  
SUITE 1200  
DENVER, CO 80202

EXAMINER

WALSH, JOHN B

ART UNIT	PAPER NUMBER
----------	--------------

3676

DATE MAILED: 01/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

SR

# Office Action Summary

Application No.

10/027,721

Applicant(s)

KATAGIRI ET AL.

Examiner

John B. Walsh

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 13-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 11 and 12 is/are rejected.
- 7) ☐ Claim(s) 9 and 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- |                                                                                                               |                                                                             |
|---------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                          | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3, 4</u> | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities: Page 3, line 12 – replace “abject” with “object”. Page 14, line 15 – replace “a” with “an” before “inclined”.

Appropriate correction is required.

### *Claim Objections*

2. Claim 6 is objected to because of the following informalities: the term “and body” is unclear with respect to the claim. The examiner will examine the claim as if the term “and body” was intended to be “in body”. Applicant should indicate in the next response the correct term.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,434,316 to Neary.

Neary '316 discloses a rotor (109); a lever (116); a key cylinder comprising a recess (figure 5; recess at right portion of 109) formed in an end of the rotor, wherein an end portion of the lever fits in the recess (figure 5; left portion of lever); a holder (118) located between the end portion of the lever and the recess (figure 5).

Art Unit: 3676

As concerns claim 2, the end portion of the lever has a flange (117; figure 4) which fits in the recess, wherein a receiving portion (figure 4; see marked up copy of reference attached to the office action) is formed in the recess, wherein the receiving portion receives the flange, wherein the holder is an elastic member (column 5, line 9) which urges the flange to the receiving portion to contact with the receiving portion.

As concerns claim 3, the flange has a contact surface (portion on 117 that contacts the receiving portion; see marked up copy of reference attached to the office action) that contacts the receiving portion and is perpendicular to the axis of the lever, wherein the receiving portion has a receiving surface that receives the contact surface and is perpendicular to the axis of the rotor (figure 4; topmost portion is shown as perpendicular to an axis of the rotor going from left to right), and wherein the elastic member holds the lever such that the lever and the rotor are coaxial (column 5, lines 9-10; figure 4).

As concerns claim 4, the elastic member is fixed to the flange (figure 4; the spring is fixed to the flange such that it is in contact with the flange and so limited in any type of movement such that the left portion of the spring is fixed in position to only contact the flange).

As concerns claim 5, a protector (113) for protecting the recess and the end portion of the lever (covers them to provide protection).

As concerns claim 6, a rotor case (111), wherein the protector is cylindrical in body and extends from the rotor case (figure 4).

5. Claims 7, 8, 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 2,655,028 to Jacobi.

Art Unit: 3676

Jacobi '028 discloses a rotor case (5); a rotor (7), an engagement portion (32) formed in the rotor; a back spring (26) located about the rotor case, wherein an end portion (28; figure 3) of the back spring engages within the engagement portion (32); a guide portion (inner portion of 35) formed in an end portion of the rotor for guiding the end portion of the back spring to the engagement portion.

As concerns claim 8, the guide portion is a surface that is inclined with respect to an axis of the rotor (figure 7), wherein the end portion of the back spring is bent radially inward (figure 3).

As concerns claim 11, the guide portion is a first guide portion, wherein the rotor case has a second guide portion (30), wherein, when the back spring is attached to the rotor case (figure 3; 27), the second guide portion guides the back spring to a predetermined position in an axial direction of the rotor case and holds the back spring at the axial position (figure 3).

As concerns claim 12, mounting a back spring (26) to a rotor case (5); inserting a rotor (7) into the rotor case, wherein at least one of an end portion of the back spring is guided to an engagement portion (32), which is formed in the rotor, along a guide portion (inner portion of 35) of the rotor.

6. Claims 7, 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,143,874 to Jacobi.

Jacobi '028 discloses a rotor case (6); a rotor (5), an engagement portion (13) formed in the rotor; a back spring (11) located about the rotor case, wherein an end portion of the back spring engages within the engagement portion (figure 3); a guide portion (portion immediately

Art Unit: 3676

below 13 in figure 3) formed in an end portion of the rotor for guiding the end portion of the back spring to the engagement portion.

As concerns claim 11, the guide portion is a first guide portion, wherein the rotor case has a second guide portion (figure 3; 12), wherein, when the back spring is attached to the rotor case (figure 3), the second guide portion guides the back spring to a predetermined position in an axial direction of the rotor case and holds the back spring at the axial position (figure 3).

As concerns claim 12, mounting a back spring (11) to a rotor case (6); inserting a rotor (5) into the rotor case, wherein at least one of an end portion of the back spring is guided to an engagement portion (13), which is formed in the rotor, along a guide portion (portion immediately below 13 in figure 3) of the rotor.

#### ***Allowable Subject Matter***

7. Claims 9 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

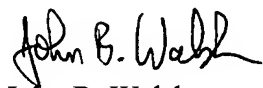
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 703-305-0444. The examiner can normally be reached on Monday-Friday from 8:30-6:00.

Art Unit: 3676

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703-308-3179. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-872-9325.

A handwritten signature in black ink, appearing to read "John B. Walsh". The signature is fluid and cursive, with the first name "John" and last name "Walsh" clearly distinguishable.

John B. Walsh  
Patent Examiner  
Technology Center 3670

January 18, 2003